

# **TAX FORECLOSURE AUCTIONS**

Revised 09/09/02

## **GENERAL INFORMATION**

**SEDGWICK COUNTY, KANSAS**

**LEGAL BASIS:** In the State of Kansas, Counties are allowed to sell real property having delinquent real estate taxes at the conclusion of the Judicial Tax Foreclosure Procedure via OPEN AUCTION (No sealed bids). Properties are sold to the highest QUALIFIED bidder.

**PUBLICATION NOTICES:** "Notice of Sale" is published in the officially designated County newspaper, the DERBY DAILY REPORTER, 788-2835. Copies are available in the County Treasurer's Office, 1<sup>st</sup> Floor, Courthouse.

**LOCATION, TIME, DATE:** Tax foreclosure auctions are held in the Jury Room adjacent to the 1<sup>st</sup> floor lobby of the County Courthouse, 525 North Main, Wichita, Kansas. The date is determined four to six weeks prior to the sale date and is announced through publication in the DERBY DAILY REPORTER or may be obtained by calling the Treasurer's Office, 660-9110.

Owners, heirs, and lien holders of record have the right to redeem properties through close of business the day prior to the sale date. Therefore, PROSPECTIVE BIDDERS ARE CAUTIONED THAT THEY CANNOT BE SURE THAT ANY GIVEN PROPERTY WILL ACTUALLY BE SOLD AT AUCTION UNTIL THE SPECIFIED SALE DATE.

ALL SALES ARE FINAL UNLESS SUCCESSFULLY CHALLENGED IN COURT. Prospective bidders should adequately acquaint themselves with the properties in which they are interested prior to the auction. Suggested inquiries might be considered in the areas of: special assessments - County Clerk's Office (660-9210) or respective City Clerks' offices; zoning and building restrictions - respective County or City building, planning and inspection offices; plat maps - County Clerk's Office; deed information - County Clerk's Office or Register of Deeds' Office (660-9400).

If a person desires to purchase a property prior to auction, that transaction is strictly between that person and the owner of record. To stop the tax foreclosure process, the full amount of taxes and interest plus court costs must be paid. The mere transfer of title, even having the deed recorded, will not stop the proceedings nor the sale. Only when all taxes and court costs are paid will the property be deleted from the sale.

**BUYERS OF TAX FORECLOSURE PROPERTIES ARE RESPONSIBLE FOR THE FULL AMOUNT OF TAXES FOR THE YEAR OF THE SALE, REGARDLESS OF THE DATE OF SALE. BUYERS ARE RESPONSIBLE FOR ALL CURRENT AND FUTURE SPECIAL ASSESSMENTS ON THE PROPERTY. BUYERS ARE NOT RESPONSIBLE FOR ANY DELINQUENT TAXES.**

Sale of properties sold at a tax foreclosure auction can be challenged after the sale through District Court by owners or lien holders of record at the time of sale. The County may defend the sale with appointed counsel. Buyers may, at their own expense, engage their own attorney if they wish to be represented during such action. If the court should decide in favor of the plaintiff and set aside the sale of the property, the court will direct the County regarding refunding the full purchase price plus any legally required interest.

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### **TERMS OF SALE**

### **SEDGWICK COUNTY, KANSAS**

Bidders **MUST BE REGISTERED AND HAVE A BIDDING NUMBER** to participate in the bidding. Registration will begin approximately one (1) hour prior to sale time. To register, a person must provide two pieces of positive identification showing name and address (with an attached photograph on one piece), provide their telephone number or other verifiable contact method, and provide their signature certifying they are not the record owner of any real estate upon which there are delinquent ad valorem or special assessment taxes. Only then will a bidding number be issued.

**SUCCESSFUL BIDDERS WILL BE HELD RESPONSIBLE FOR THEIR BIDS AND MUST NOT DEPART THE AUCTION WITHOUT MAKING PAYMENT IN FULL FOR THEIR PURCHASES(S). IF NOT, LEGAL ACTION MAY BE TAKEN AGAINST YOU TO ENFORCE YOUR BID AND YOU MAY BE INELIGIBLE TO BID AT FUTURE SALES.**

Any purchase or combination of purchases having a total sale (bid) price of \$350 OR less must be paid in cash or cashiers check. You must have exact change. Any purchase(s) having a total sale (bid) price of more than \$350 must be paid as follows: \$350 cash or cashiers check, and either your personal check, cash or cashiers check for the balance.

There will be a \$30 charge assessed for a returned check. Further, if a check is returned, the issuer will be granted no more than seven calendar days from the date of notice to redeem the check and pay the returned check assessment with cash or cashier's check only. Returned check notice will be via first class mail.

According to K.S.A. 79-2804, the Sheriff is required to register the deeds for properties purchased at Tax Foreclosure auctions prior to delivering them to the buyer. Therefore, the filing fee for registration of the deed(s) will be collected from the buyer of each parcel at the time of sale.

A receipt of purchase will be given at time of payment. A Sheriff's deed will be mailed to successful bidders as soon as "Confirmation of Sale" is filed with the Clerk of the District Court and the deeds are recorded with the Register of Deeds office. This usually requires a waiting period of approximately 90 days after the date of sale. This waiting period allows all checks to clear and the settlement of any disputed sales (challenges) in court. The County desires to conclude the case in the most expeditious, legal manner possible. It also may take additional time for prior years' delinquent taxes to be purged from the property record.

If a successful bidder purchases property with an occupied building, the purchaser is responsible for handling this instance in a considerate manner. The County is **NOT RESPONSIBLE FOR EVICTION.**

**PURCHASERS ARE RESPONSIBLE FOR PAYMENT OF THE FULL YEAR OF TAXES (ad valorem and any "specials") for any tax foreclosure auction held during that year. The taxes are not pro-rated to sale dates. "Specials" can be added up to August 26th of each year. "Specials" which purchasers will pay as part of that year's taxes may be announced at the sale, however all specials may not be listed.**